

EXHIBIT C

From: [Stoughton, Corey](#)
To: [Robinson, Amy \(LAW\)](#); [Molly Biklen](#)
Cc: [Payne Litigation Team](#); [AG-NYPDLitigation](#); [wood](#); [Sierra Team](#); [Sow-Legal@blhny.com](#); [Gray Legal Team-External](#); [Andrew Stoll](#); [Hernandez Team](#)
Subject: Re: In re Summer Protests-- Payne v. De Blasio, 20 cv 08924
Date: Tuesday, December 21, 2021 1:11:28 PM

Amy,

Thank you for the apology. We are of course conscious of the fact that there are eight (and counting) consolidated protest cases in the thick of discovery. However, the Court has ordered a schedule, the rules are the rules, and the level of workload for this matter has been entirely predictable for more than a year. It is hard to avoid the conclusion that Defendants, despite the experience and resources available to Corporation Counsel's office, do not have a plan in place to manage their straightforward discovery obligations. It creates more work for all involved when Defendants let deadlines - including self-imposed deadlines - pass with no action, requiring Plaintiffs to send multiple requests to meet and confer, which are themselves often ignored or tersely dismissed with "we will get back to you," and which ultimately require Plaintiffs to prepare draft discovery motions before we even get the courtesy of a request for an extension of time. That happened in this instance and is part of a similar pattern on multiple other discovery issues in the past weeks and months.

That pattern includes repeated instances of Defendants asking for extensions of time, and then failing to meet even that self-imposed deadline. Having said that, with the full expectation that this deadline is a real deadline, the Payne Plaintiffs will hold the proposed motion to compel in abeyance and consent to extending Defendants' time to respond to the September 28, October 15 and November 1 requests referenced in Ms. Biklen's emails below to January 14, 2020. That represents a 45-day extension of time to respond to even the latest-served of these overdue discovery demands.

Corey

From: Robinson, Amy (LAW) <arobinso@law.nyc.gov>
Sent: Tuesday, December 21, 2021 10:14 AM
To: Stoughton, Corey <CStoughton@legal-aid.org>; Molly Biklen <mbiklen@nyclu.org>
Cc: Payne Litigation Team <PayneLitigationTeam@nyclu.org>; AG-NYPDLitigation <AG.NYPDLitigation@ag.ny.gov>; wood <wood@klflaw.com>; Sierra Team <sierrateam@moskovitzlaw.com>; Sow-Legal@blhny.com <Sow-Legal@blhny.com>; Gray Legal Team-External <graylegalteam@dwt.com>; Andrew Stoll <astoll@stollglickman.com>
Subject: RE: In re Summer Protests-- Payne v. De Blasio, 20 cv 08924

Corey, I sincerely apologize the delay in getting these responses out. The team is simply beyond capacity with getting out various responses, scheduling and taking depositions and preparing for

depositions, not to mention a whole host of other commitments related to the protest cases. We therefore seek a 30-day extension to respond to these requests.

Regards,
Amy

From: Stoughton, Corey <CStoughton@legal-aid.org>
Sent: Tuesday, December 21, 2021 9:41 AM
To: Robinson, Amy (LAW) <arobinso@law.nyc.gov>; Molly Biklen <mbiklen@nyclu.org>
Cc: Payne Litigation Team <PayneLitigationTeam@nyclu.org>; AG-NYPDLitigation <AG.NYPDLitigation@ag.ny.gov>; wood <wood@klflaw.com>; Sierra Team <sierrateam@moskovitzlaw.com>; Sow-Legal@blhny.com; Gray Legal Team-External <graylegalteam@dwt.com>; Andrew Stoll <astoll@stollglickman.com>
Subject: [EXTERNAL] Re: In re Summer Protests-- Payne v. De Blasio, 20 cv 08924

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Amy,

These responses are long overdue and we have been attempting to confer on this for at least two weeks now, well before the holiday period began. If Defendants will not be producing responses today, please confirm by the end of the day that the reassigned responses can be produced no later than December 30.

Corey

From: Robinson, Amy (LAW) <arobinso@law.nyc.gov>
Sent: Tuesday, December 21, 2021 8:41 AM
To: Molly Biklen <mbiklen@nyclu.org>
Cc: Payne Litigation Team <PayneLitigationTeam@nyclu.org>; AG-NYPDLitigation <AG.NYPDLitigation@ag.ny.gov>; wood <wood@klflaw.com>; Sierra Team <sierrateam@moskovitzlaw.com>; Sow-Legal@blhny.com <Sow-Legal@blhny.com>; Gray Legal Team-External <graylegalteam@dwt.com>; Andrew Stoll <astoll@stollglickman.com>
Subject: Re: In re Summer Protests-- Payne v. De Blasio, 20 cv 08924

Molly,

While Dara is out, I am not sure where we are on these. We are going to reassign these responses to someone on the team. We are working on that now and working on dates you can expect responses.

Regards,
Amy

Amy Robinson
Senior Counsel
New York City Law Department
Special Federal Litigation Division
100 Church Street
New York, NY 10007
(212) 356-3518
arobinso@law.nyc.gov

From: Molly Biklen <mbiklen@nyclu.org>
Sent: Friday, December 17, 2021 1:56 PM
To: Weiss, Dara (Law) <daweiss@law.nyc.gov>; Weng, Jenny (Law) <jweng@law.nyc.gov>; Robinson, Amy (LAW) <arobinso@law.nyc.gov>; Lax, Joshua (Law) <jlax@law.nyc.gov>; Breslow, Stephanie (Law) <sbreslow@law.nyc.gov>
Cc: Payne Litigation Team <PayneLitigationTeam@nyclu.org>; AG-NYPDLitigation <AG.NYPDLitigation@ag.ny.gov>; wood <wood@klflaw.com>; Sierra Team <sierrateam@moskovitzlaw.com>; Sow-Legal@blhny.com <Sow-Legal@blhny.com>; Gray Legal Team-External <graylegalteam@dwt.com>; Andrew Stoll <astoll@stollglickman.com>
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Dara,

We have not heard back from you on this. In accordance with Judge Gorenstein's order (ECF 317), please find attached a draft letter to the court on this issue, which we will plan to file on Tuesday, December 21 at 9 am if we do not have a resolution of these issues.

Regards,
Molly

From: Weiss, Dara (Law) <daweiss@law.nyc.gov>
Sent: Tuesday, December 14, 2021 11:24 AM
To: Molly Biklen <mbiklen@nyclu.org>; Weng, Jenny (Law) <jweng@law.nyc.gov>; Robinson, Amy (LAW) <arobinso@law.nyc.gov>; Lax, Joshua (Law) <jlax@law.nyc.gov>; Breslow, Stephanie (Law) <sbreslow@law.nyc.gov>
Cc: Payne Litigation Team <PayneLitigationTeam@nyclu.org>; AG-NYPDLitigation <AG.NYPDLitigation@ag.ny.gov>; wood <wood@klflaw.com>; Sierra Team <sierrateam@moskovitzlaw.com>; Sow-Legal@blhny.com; Gray Legal Team-External

<graylegalteam@dwt.com>; Andrew Stoll <astoll@stollglickman.com>

Subject: RE: In re Summer Protests-- Payne v. De Blasio, 20 cv 08924

Molly,

I am making inquiries and we will get back to you shortly.

Best,

Dara

From: Molly Biklen <mbiklen@nyclu.org>

Sent: Tuesday, December 14, 2021 10:01 AM

To: Weng, Jenny (Law) <jweng@law.nyc.gov>; Robinson, Amy (LAW) <arobinso@law.nyc.gov>; Lax, Joshua (Law) <jlax@law.nyc.gov>; Breslow, Stephanie (Law) <sbreslow@law.nyc.gov>; Weiss, Dara (Law) <daweiss@law.nyc.gov>

Cc: Payne Litigation Team <PayneLitigationTeam@nyclu.org>; AG-NYPDLitigation <AG.NYPDLitigation@ag.ny.gov>; wood <wood@klflaw.com>; Sierra Team <sierrateam@moskovitzlaw.com>; Sow-Legal@blhny.com; Gray Legal Team-External <graylegalteam@dwt.com>; Andrew Stoll <astoll@stollglickman.com>

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Counselors,

I am following up on my email below. Please produce Defendants' responses or let me know when you are available to meet and confer this week over Defendants' failure to respond.

Regards,

Molly K. Biklen

Deputy Legal Director

Pronouns: she, her

New York Civil Liberties Union

125 Broad St., Fl. 19, New York, NY 10004

212.607.3380

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From: Molly Biklen <mbiklen@nyclu.org>

Sent: Monday, December 6, 2021 2:12 PM

To: Weng, Jenny (Law) <jweng@law.nyc.gov>; Robinson, Amy (LAW) <arobinso@law.nyc.gov>; Lax, Joshua (Law) <jlax@law.nyc.gov>; Breslow, Stephanie (Law) <sbreslow@law.nyc.gov>; Weiss, Dara

(Law) <daweiss@law.nyc.gov>

Cc: Payne Litigation Team <PayneLitigationTeam@nyclu.org>; AG-NYPDLitigation <AG.NYPDLitigation@ag.ny.gov>; wood <wood@klflaw.com>; Sierra Team <sierrateam@moskovitzlaw.com>; Sow-Legal@blhny.com; Gray Legal Team-External <graylegalteam@dwt.com>; Andrew Stoll <astoll@stollglickman.com>

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Counselors,

We are writing regarding Defendants' failure to respond to Payne plaintiffs' supplemental requests for discovery. First, Plaintiffs sent a letter on September 28 requesting the production of documents and videos identified in depositions. Other than producing on November 19 the video identified by Officer Corcoran at her deposition, Defendants have not otherwise responded. Second, Plaintiffs served supplemental discovery requests to Defendants to identify certain John and Jane Doe officers on October 15 and November 1. Defendants have not responded and have not sought any extensions. These requests pertain to a central issue in the case – the identity of officers involved in the Payne Plaintiffs' injuries and arrests. Indeed, they are especially vital given that Defendants dispute the Payne Plaintiffs' notice of depositions dated November 10.

For your convenience, we reattach our requests here. Please produce Defendants' responses to these requests immediately and no later than December 10.

Regards,

Molly K. Biklen

Deputy Legal Director

Pronouns: she, her

New York Civil Liberties Union

125 Broad St., Fl. 19, New York, NY 10004

o. 212.607.3300 | d. 212.607.3380



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